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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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                                      :

JOHN FAICAN.,   :

                              :

                   Plaintiff,   :   1:23-cv-10633-GHW

                              :

            -v-   :   ORDER

                              :

LENOX PARKING GARAGE, LLC, *et al.*,   :

                              :

                 Defendants.   :

                              :
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GREGORY H. WOODS, United States District Judge:

On January 9, 2025, Plaintiff requested an adjournment of the evidentiary hearing scheduled for January 15, 2025 (the "Evidentiary Hearing") because one of his lawyers, Mr. Marino, is scheduled to begin a trial before Judge Gorenstein (the "Trial"). Dkt. No. 57.

Plaintiff's application is denied without prejudice. Plaintiff failed to comply with the Court's Individual Rule 1(E), which requires that all requests for adjournments be submitted by letter and "must state . . . whether the adversary consents and, if not, the reason given by the adversary for refusing to consent . . . ." Additionally, the Evidentiary Hearing in this case was scheduled well before the Trial. The Court scheduled the Evidentiary Hearing by order dated October 24, 2024. Dkt. No. 54. The Trial in Mr. Marino's case before Judge Gorenstein was not scheduled until nearly two months later, on December 10, 2024. *See Bello Paulino et al v. S & P Mini Market Corp. et al*, No. 22-cv-8724-GWG, ECF Dkt. No. 73 (S.D.N.Y. Dec. 19, 2024.
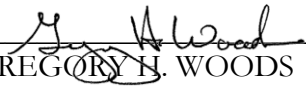
The docket also indicates that a second lawyer, Ms. Sojo, is counsel of record for Plaintiff. Consequently, Ms. Sojo can conduct the Evidentiary Hearing if Mr. Marino cannot appear.

The evidentiary hearing scheduled for January 15, 2025 at 1:00 p.m. in Courtroom 12C of the Daniel Patrick Moynihan United States Courthouse, New York, New York 10007 will proceed as scheduled, absent a showing of good cause by Plaintiff. Plaintiff is directed to serve a copy of this

order on all Defendants and to retain proof of service. The Clerk of Court is directed to terminate

the motion pending at Dkt. No. 57.

      SO ORDERED.

Dated: January 10, 2025
          New York, New York

                                        GREGORY H. WOODS
                                 United States District Judge

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